

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

DONALD D. HERBOLSHEIMER,

Defendant.

8:11CR63

ORDER

This matter is before the court on defendant's UNOPPOSED MOTION TO EXTEND TIME TO FILE PRETRIAL MOTIONS [20]. For good cause shown, I find that the motion should be granted. The defendant will be given an approximate 14-day extension. Pretrial Motions shall be filed by April 7, 2011.

IT IS ORDERED:

1. Defendant's UNOPPOSED MOTION TO EXTEND TIME TO FILE PRETRIAL MOTIONS [20] is granted. Pretrial motions shall be filed on or before **April 7, 2011**.
2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between March 24, 2011 and April 7, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 24th day of March, 2011.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge